

FREMONT PLANNING BOARD
June 7, 2006
Meeting Minutes
Approved and amended June 14, 2006

Present: Chairman Larry Stilwell, Members Leon Holmes, Jr., Mark Pitkin, Mbr. & Conservation Commission rep. Jack Karcz, Alt. and ZBA Rep. Scott Boisvert, Alt. Dan Daley, Building Official Thom Roy and Land Use AA Meredith Bolduc.

Mr. Stilwell called the meeting to order at 7:30 p.m.

Mr. Holmes made the motion that Mr. Boisvert and Mr. Daley be allowed voting rights on any matter to come before tonight's Planning Board meeting.

Motion seconded by Mr. Karcz with unanimous favorable vote.

MINUTES

Mr. Karcz made the motion to approve the minutes of the May 24, 2006 as written.

Motion seconded by Mr. Holmes with unanimous favorable except for Mr. Pitkin, who abstained as he was not present at that meeting and Mr. Daley who abstained as he was not a member at that time.

SHAWN SENTER
Map 3 Lot 169-59-18

PUBLIC HEARING
SUBDIVISION

Present: Owner Shawn Senter and Fremont Historian Matthew Thomas

Mr. Stilwell opened this Public Hearing for Shawn & Kim Senter at 8:00 pm and stated that this is a continuation of the May 24, 2006 portion of this Public Hearing, which was continued to allow time for the applicant to address all outstanding issues raised by the Board, RPC Circuit Rider David West and Town Engineer Lou Caron and acquire their amended reports.

Mr. Stilwell noted that jurisdiction over this plan was taken at the May 24, 2006 portion of this meeting. He also noted that all certified returns for the notice of the hearing have now been received.

There was a comment sheet received from the Fire Chief: *"No comment at this time. Will have concerns when there is a plan to show the house locations as to location of water supply, how driveways are constructed, turn arounds/hammerheads, etc."* Mr. Senter asked if it is a standard that the Fire Chief inspects each house lot. Mr. Roy answered that it is not. Mr. Senter stated that if the subdivision is 4 lots or less the water supply does not have to be noted. Further comment from the Fire Chief will be requested.

It was noted that the Conservation Commission submitted a comment sheet for the April 25, 2006 ZBA Special

Exception portion of this plan/project which stated *"The Plan # 1347GPS dated February 3, 2006 shows the bottom of the 4 to 1 slope from the edge of the road to be within 25 feet of the wetlands. The Conservation*

Commission finds this proposal acceptable if the silt fences are maintained during construction and the slope is seeded and there is no alteration of the plan."

Mr. Stilwell reported that the Board has received a June 6, 2006 report from Dick Colby of LC Engineering. In his report Mr. Colby stated that he has reviewed the Shawn Senter revised subdivision plans and that all of his concerns of his May 22, 2006 report have been adequately addressed except the following:

1. SD Plan Sheet 9 of 12 (Construction Details)
 - a. add NH Professional Engineer who will do the design of the retaining wall.
 - b. revise the roadway typical section to match the Town of Fremont typical section.
2. SD Plan Sheet 10 of 12 (Construction Details)
 - a. add detail of FES showing riprap apron.
3. SD Plan Sheets 11 of 12 (Cross Sections)
 - a. The cross sections shown from sta 0+00 to sta 2+28.04 reflect the roadside slope of 1:1. Revise the slopes and ditch line to reflect the Town of Fremont regulation of 3:1 slopes minimum with the center of the ditch at 6 feet off the edge of gravel shoulder.

Mr. West stated that he has not issued an amended report as he has not received an updated plan set. Mr. Senter stated that until the issue of the slope is corrected he will not send the amended plan to Mr. West. Mr. West agreed. Mr. Senter stated that he is proposing a curbing and to bring the slope from the curbing up. He wants to set up a site visit with the Town Engineer, Road Agent to decide what the best way to take care of the slope issue.

The name Acorn drive was discussed. Mr. Thomas objected and stated that at the 2003 Town Meeting the people voted to name all future roads after prominent Fremont people, families, landmarks or events associated with the community. After some discussion, Mr. Thomas and Mr. Senter agreed on Moose Hollow, Way or Circle. The Board had no problem with the name as long as the Police Chief, Fire Chief and Heidi are contacted and agree with it.

Mr. Holmes made the motion to continue this Public Hearing to 8:30 pm on July 12, 2006 to allow time for the applicant to address all of the outstanding issues including the slope.

Motion seconded by Mr. Pitkin with unanimous favorable vote.

SHAWN SENTER
Map 3 Lot 169-59-18

PUBLIC MEETING
LOT LINE ADJUSTMENT

Present: Owners Shawn Senter

Mr. Stilwell opened this Public Hearing for Shawn & Kim Senter at 8:35 pm and stated that this is a continuation of the May 24, 2006 portion of this Public Hearing, which was continued to allow time for the applicant to address all outstanding issues raised by the Board, RPC Circuit Rider David West and Town Engineer Lou Caron and acquire their amended reports.

Mr. Stilwell noted that jurisdiction over this plan was taken at the May 24, 2006 portion of this meeting. He also

noted that all certified returns for the notice of the hearing have now been received. Mr. Stilwell noted that, since this lot line adjustment hinges on Mr. Senter's subdivision, this Hearing should be continued as was the

subdivision Public Hearing. Mr. Senter and the Board agreed.

Mr. Holmes made the motion to continue this Public Hearing to 8:30 pm on July 12, 2006.

Motion seconded by Mr. Pitkin with unanimous favorable vote.

RESIGNATION

The Board received, and regretfully acknowledged, Mr. Herrmann's June 4, 2006 letter of resignation. It was noted that the positions of a full Board Member and a Co-Chairman now need to be filled.

JAMES LUFKIN

Map 3 Lot 028

The Board received a copy of a June 1, 2006 correspondence from the Selectmen to Mr. Lufkin relative to his 3 unit building and advising him seek the proper Planning Board and Zoning Board of Adjustment approvals or reconfigure the building to 2 units.

Mr. Roy stated that, while there is record of a permit for a second unit, there does not seem to be a record of permits issued for 3 units and because there was a complaint they have to act on it. In order to have a 3 unit building the owner must go before the Planning Board for Site Plan Review and, in this case, to the Zoning Board for other issues.

GOVERNOR'S FOREST

Map 3 Lot 002

The Board received a copy of a June 1, 2006 correspondence from the Selectmen to Martin Ferwerda relative to their expectation of the receipt of a deeded copy of the drainage easement and reminding him of the July 15, 2006 final paving completion date for a portion of Linda Lane and all of Tarah Way.

SEACOAST FARMS

Map 5 Lot 035

Mr. Stilwell acknowledged a June 6, 2006 notice from Heidi Carlson in the selectmen's office that complaints were logged on June 5th by the Fremont Police Department that trucks were observed going into the Seacoast Farms site loaded and coming out empty. Also received for the record was a copy of a May 31, 2006 correspondence from Building Official Thom Roy to Bob Kelly of Seacoast Farms reminding him of his approved hours of operation.

Mr. Stilwell reported that the Board received a June 1, 2006 report from Richard Bond, CSS, of the Rockingham County Conservation District, as a result of his May 10, 2006 site visit to the Seacoast Farms Compost products site on Shirkin Road, Map 5 Lot 035. As a result of his visit Mr. Bond' recommendations were as follows:

1. A Current Existing Conditions and Management Plan be prepared for the site that will show the delineate wetlands, drainage swales, barrier berms, etc.
2. The owners should evaluate the possible effects of the runoff from the drainage swale near Monitoring Well -1 from a hydrogeological perspective
3. There should be a maintenance schedule for the site to include the drainage swales in order to maintain proper treatment to runoff prior to its entering the wetlands. This should include reviewing the purpose and

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adequacy of the barrier berms.

4. Delineate the wetlands using the 1987 Federal Manual standard specified in the Fremont Zoning Ordinance to determine the 100' watershed protection district buffer.
5. Determine if the 6 drainage swales shown on the November 1, 2005 plan should now be included in the buffer setbacks.

Wetland Boundary Line: Mr. Bond stated the wetland boundary shown on the map dated November 1, 2005 was taken from a previous site plan of the project dated 1987 prepared by James M. Lavelle Associates for the owner of the property, John Galloway. It is unknown what standard was used to delineate this wetland boundary, and it is unknown if the wetland boundary shown on the plan was survey located.

He wrote his opinion that the wetland boundary observed during the May 10, 2006 visit is different from the wetland boundary shown on the plan. The wetland intrudes further into the site in several places than is shown on the plan submitted. These areas are marked with the letters A, B, C and D on the enclosed plan included with this report.

Mr. Bond added that it is not possible to know the exact location of the required 100' watershed protection buffer on this site until the wetlands have been delineated using the 1987 Federal Manual standard specified in the Fremont Zoning Ordinance. Then the wetland flags should be located using surveying techniques.

Mr. Roy reported that Mr. Kelly is bringing in partially processed material and there are many rows of material on site again. He added that he is not supposed to haul in any raw material. Mr. Roy stated that he has contacted Mr. Kemp of NHDES and asked if Mr. Kelly is he allowed to bring in anything? He is awaiting a reply.

The Board agreed that Mr. Stilwell will convert Mr. Bonds report into a letter to Mr. Kelly with a timeline for compliance.

BUDGET

The Board received and reviewed the Expenditure Report issued as of June 1, 2006.

SCHEDULING

There was a general conversation relative to scheduling applicants and public hearings. Mr. Stilwell stated that in order to streamline the process, he and Mrs. Bolduc are planning to meet with Mr. West to discuss a guideline for acceptance of applications and scheduling as utilized by other towns. Mr. West explained that a certain day (or days) of the month would be set for the office to accept applications, a certain meeting date of a given month for the Board to hold pubic hearings, and all applicants would be scheduled at the same time of the evening. Mr. Stilwell noted that, if the Board opts to change the process, portions of the regulations would also need to be changed. Mr. Roy suggested, and the Board agreed, that all applicants be scheduled for the same time in the evening for the next few meetings. This will assess that portion of the process to see if it is more time effective for the Board.

PRIME WETLANDS STUDY

Mrs. Bolduc reported that the Conservation Commission is seeking to have West Environmental, Inc. perform a Prime Wetland Study of the entire Town of Fremont. The cost of this study will be approximately \$20,000.00. The Conservation Commission has applied for an \$8,000.00 50/50 matching grant and will fund the remaining \$12,000.00.

She added that Heidi Carlson in the Selectmens office has suggested that the Planning Board may wish to use a portion of their "Professional Services" line item as a contribution to the cost of the study. Mr. Stilwell noted that

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there is \$2,151.00 for professional services which may be used for additional RPC services. Mr. Holmes stated that it is only June and the Board may need that money. The Board members agreed that the Planning Board does not have excess money to contribute.

CORRESPONDENCE

The Board reviewed all correspondences including:

1. A copy of the Colonial Poplin, Map 3 Lot 109-1 plan, as approved for Equitable Waiver by the ZBA, required by HUD to be recorded.
2. A copy of the May 24, 2006 BankNorth Irrevocable Letter of Credit for the amount of \$103,144.00 for Turner Porter, Tuck Woods, Phase II.
3. A copy of the June 6, 2006 NHDOT Driveway Permit # 06-167-194 issued to Matthew White for map 4 Lot 014-1.

Mr. Pitkin made the motion to adjourn at 9:30 P.M.

Motion seconded by Mr. Karcz with unanimous favorable vote.

Respectfully submitted,
Meredith Bolduc, Secretary